

EXHIBIT 109

Highly Confidential - Subject to Further Confidentiality Review

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION)
OPIATE LITIGATION) Case No. 1:17-MD-2804
-----) Hon. Dan A. Polster
APPLIES TO ALL CASES)
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HIGHLY CONFIDENTIAL
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The videotaped deposition of EDWARD
BRATTON, called for examination, taken pursuant to the
Federal Rules of Civil Procedure of the United States
District Courts pertaining to the taking of
depositions, taken before JULIANA F. ZAJICEK, a
Registered Professional Reporter and a Certified
Shorthand Reporter, at Bartlit Beck Herman Palenchar &
Scott, LLP, Suite 400, 54 West Hubbard Street,
Chicago, Illinois, on November 30, 2018, at 9:05 a.m.

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<p style="text-align: right;">Page 54</p> <p>1 understand what we needed to do. 2 BY MR. MOUGEY: 3 Q. The question I asked you was a little 4 different. What I asked was: Is it important for you 5 as a manager of the southern operation to have an 6 understanding of the regulatory framework covering 7 Walgreens' responsibilities in relation to monitoring 8 of Schedule II and Schedule III opiates? 9 MR. HILL: Object to the form. 10 BY THE WITNESS: 11 A. I -- I don't know how to answer that 12 question. 13 BY MR. MOUGEY: 14 Q. What's confusing to you about that 15 question? Is it important that you understand the 16 regulatory framework? 17 MR. HILL: Same objection. 18 BY THE WITNESS: 19 A. I think I have a general concept, but I 20 don't think I'm an expert on all of the issues at 21 every level of government, no. 22 BY MR. MOUGEY: 23 Q. Yeah, I don't -- I don't think I asked you 24 about whether you were an expert at every level of</p>	<p style="text-align: right;">Page 56</p> <p>1 paragraph in your LinkedIn profile, correct? 2 A. This is copied from my job posting. 3 Q. Yes, sir. So you put this in there, 4 right? 5 A. I copy and pasted, yes. 6 Q. You copied it. And it's accurate, 7 correct? 8 A. I believe so. 9 Q. So Bratton 1, your profile: "Responsible 10 for managing, creating, and maintaining controlled 11 substance dispensing, monitoring and reporting 12 programs." 13 Is that accurate, sir? 14 A. Yes. 15 Q. And that was part of the scope of your 16 responsibilities from February '13 on? 17 A. Correct. 18 Q. Second sentence: 19 "Developed, recommends, implements 20 programs, procedures and techniques which will 21 identify and minimize loss of company assets and 22 ensure the safety, compliance and security of the 23 ordering and dispensing of controlled substances," 24 correct?</p>
<p style="text-align: right;">Page 55</p> <p>1 government. What I asked was is it important as a 2 manager of the southern operation for Walgreens in 3 pharmaceutical integrity to understand, just 4 generally, the regulatory framework covering 5 Walgreens' responsibilities in relation to monitoring 6 Schedule II and Schedule III opiates? 7 MR. HILL: Objection to the form. 8 BY THE WITNESS: 9 A. I'm not sure. 10 BY MR. MOUGEY: 11 Q. Has someone instructed you to -- to say 12 "I'm not sure" to questions about what Walgreens' 13 responsibilities were? 14 A. No. 15 Q. Have you been told just to -- if -- if 16 anyone asks you about what Walgreens' responsibilities 17 were, just to say I'm not sure? 18 A. I'm trying to answer truthfully. 19 Q. Well, let's go back to Bratton 1, okay. 20 Manager of pharmaceutical integrity, 21 southern operation, February 2013 to the present, 22 right? 23 A. Um-hum. 24 Q. Okay. Now, you -- you put this next</p>	<p style="text-align: right;">Page 57</p> <p>1 A. Correct. 2 Q. Now, when you say controlled substances 3 in -- in this paragraph, that is a number of different 4 types of drugs, correct? 5 A. Correct. 6 Q. And you understand that this litigation is 7 about Schedule II and Schedule III opiates, correct, 8 sir? 9 A. Correct. 10 Q. And you understand, sir, in your role as 11 manager of the southern operation that those 12 Schedule II and Schedule III opiates are highly 13 addictive, correct? 14 MR. HILL: Object to the form. 15 BY THE WITNESS: 16 A. My understanding is they can be addictive 17 for some people. 18 BY MR. MOUGEY: 19 Q. Yes, sir, they can be addictive to some 20 people. 21 And did you understand in February 22 of 2013, that the country was in the midst of an 23 opiate crisis? 24 MR. HILL: Object to the form.</p>

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<p style="text-align: right;">Page 58</p> <p>1 BY THE WITNESS:</p> <p>2 A. I believe that I was becoming aware of it,</p> <p>3 yes.</p> <p>4 BY MR. MOUGEY:</p> <p>5 Q. And how did you become aware of that in</p> <p>6 February of 2013?</p> <p>7 A. Partially through my -- my work,</p> <p>8 partially, you know, you -- the news and things you</p> <p>9 see on television.</p> <p>10 Q. Well, let's talk about the partially</p> <p>11 because of your work.</p> <p>12 How at work did you become aware that in</p> <p>13 2013 the country was in the middle of an opiate</p> <p>14 crisis?</p> <p>15 A. I don't recall the specific details. I</p> <p>16 know that we -- it was something that was, you know,</p> <p>17 in our minds as we were drafting our policies and</p> <p>18 procedures.</p> <p>19 Q. It was in your mind.</p> <p>20 Help -- help me to understand how it got</p> <p>21 in your mind?</p> <p>22 A. Direction from my boss --</p> <p>23 Q. Ms. Polster?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 60</p> <p>1 BY MR. MOUGEY:</p> <p>2 Q. You don't recall. You don't recall</p> <p>3 walking in the first month of my job and somebody</p> <p>4 saying, We are in the middle of an opiate crisis,</p> <p>5 people are dying every day, Florida is the hot bed,</p> <p>6 you are in charge of the southern operation, there is</p> <p>7 drugs migrating up to Ohio, and it is our job as</p> <p>8 distributors to monitor and identify controlled</p> <p>9 substances?</p> <p>10 Anything along those lines?</p> <p>11 MR. HILL: Objection to the form.</p> <p>12 BY THE WITNESS:</p> <p>13 A. I don't recall.</p> <p>14 BY MR. MOUGEY:</p> <p>15 Q. Anything saying this is -- this is very,</p> <p>16 very, very important that we are on the front line of</p> <p>17 defense for Walgreens and we dispense as -- as many --</p> <p>18 or more opiates than anyone in the country?</p> <p>19 A. I don't recall.</p> <p>20 Q. You don't recall any meetings with a sense</p> <p>21 of urgency like that?</p> <p>22 A. I -- when I first was in the role, we were</p> <p>23 very focused on the settlement with the DEA and the</p> <p>24 provisions that our legal teams had outlined that we</p>
<p style="text-align: right;">Page 59</p> <p>1 Q. And when you say "direction," what do you</p> <p>2 mean?</p> <p>3 A. We would meet in meetings with our -- my</p> <p>4 peers or our team members and discuss issues and she</p> <p>5 would provide direction as to programs we should work</p> <p>6 on.</p> <p>7 Q. Did anybody ever tell you that there had</p> <p>8 been ongoing congressional investigations into the</p> <p>9 opiate crisis almost 13 years by the time you started</p> <p>10 in 2013?</p> <p>11 A. No.</p> <p>12 Q. Did anybody tell you that there was year</p> <p>13 upon year upon year increase in the amount of opiates</p> <p>14 dispensed across the country?</p> <p>15 A. I knew that. I don't know that anyone at</p> <p>16 work told me that.</p> <p>17 Q. Did anyone ever as part of your training</p> <p>18 advise you that the amount of deaths had increased,</p> <p>19 overdose deaths related to Schedule II and</p> <p>20 Schedule III opiates had increased exponentially</p> <p>21 beginning in late '90s, early 2000s?</p> <p>22 MR. HILL: Objection to the form.</p> <p>23 BY THE WITNESS:</p> <p>24 A. I don't recall.</p>	<p style="text-align: right;">Page 61</p> <p>1 needed to implement. That was one of the critical</p> <p>2 focuses at that time.</p> <p>3 Q. And the -- in the midst of the</p> <p>4 investigations by the DEA, what are you referring to?</p> <p>5 A. The -- when I was there, it was the</p> <p>6 settlement agreement that we had signed and so we</p> <p>7 received a laundry list of -- of tasks and programs</p> <p>8 and changes that we were working to implement.</p> <p>9 Q. And that was in -- the agreement was</p> <p>10 signed.</p> <p>11 Do you have a recollection of when the</p> <p>12 agreement was signed?</p> <p>13 A. Shortly after I started.</p> <p>14 Q. Like in June of 2013?</p> <p>15 A. That sounds right.</p> <p>16 Q. Were -- did anyone alert you or notify you</p> <p>17 from your date in February of '13 until the date the</p> <p>18 agreement was signed about the ongoing investigations?</p> <p>19 A. We were in discussions about the terms of</p> <p>20 the settlement and what that might include. Some of</p> <p>21 the things that the government had already outlined</p> <p>22 that we had committed to.</p> <p>23 Q. Including the closing of six Walgreens'</p> <p>24 stores in Florida, correct?</p>